THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION Nos :21785 & 21799 of 2007

DATED:11-10-2007

BETWEEN:

Gali Ramprasad & others.

..... PETITIONERS

AND

The Revenue Divisional Officer,
Kavali Division,
Nellore District & another.

.....RESPONDENTS

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COMMON ORDER:

Heard learned counsel appearing for the petitioners as well as the learned Government Pleader for Revenue appearing for the respondents.

2. It is the case of the petitioners that the petitioners in W.P.21785 of 2007 are in occupation of Ac.5.00 each in Sy.No.649, 650 and 168 respectively situated at Gundemadakala village, Vinjamuru mandal, Nellore District and they have been cultivating the said lands by raising Black Gram, and the petitioners in W.P.No.21799 of 2007 are also in occupation of an extent of Ac.5.00 each in Sy.No.173, 171 respectively. While so, the 2nd respondent-Tahsildar, Vinjamur mandal made an attempt to dispossess the petitioners on 27-09-2007 and 03-10-2007 and therefore, the petitioners have made representations, dated 03-10-2007.

3. I am not inclined to express any opinion with regard to the right, title and possession of the said lands in question, but if the petitioners are entitled to the said lands in question, respondents cannot dispossess them without following due process of law.

4. Having regard to the facts and circumstances, respondents are directed not to dispossess the petitioners from the said lands in question in Sy.Nos.649, 650, 168, 171 and 173 situated at Gundemadakala village, Vinjamuru mandal, Nellore District, without following due process of law.

5. Accordingly, Writ Petitions are disposed of. There shall be no order as to costs.

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V.ESWARAIAH,J

11th October, 2007.
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